

### **REMARKS**

The Office Action mailed December 19, 2008 has been reviewed and carefully considered. Entry of this Amendment and reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested

Claims 1, 4, 6-11 and 14-22 are pending and stand rejected.

Claims 1, 7-8, 11, and 16-21 have been amended. Claims 7, 8, 14 and 15 have been cancelled.

Claims 1, 4, 6-7 and 14 stand rejected under 35 USC 103(a) as being unpatentable over Shitara (USP no. 5, 778, 420) in view of Mizuyabu (USP no. 7, 114,086). Claims 8-10 and 15-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, in order to advance the prosecution of the instant application, claims 1 and 11 have been amended in compliance with the indication of allowable subject matter in claims 8-10 and 15-22. More specifically, claim 1 has been amended to include the subject matter of claim 7 and claim 8, which depends from claim 7 and claim 11 has been amended to include the subject matter of claim 14 and claim 15, which depends from claim 14. The other remaining dependent claims now depend from claims 1 and 11, respectively.

For the amendments made to the claims, applicant submits that all the claims are now in a condition indicated to be allowable.

With regard to the rejection of claims 1, 4, 6-7 and 14 under 35 USC 103(a) as being unpatentable over Shitara (USP no. 5, 778, 420) in view of Mizuyabu (USP no. 7, 114,086), applicant submits that for the amendments made to independent claims 1 and 11, the reason for the rejection is no longer applicable and respectfully requests that the rejection be withdrawn.

For all the foregoing reasons, it is respectfully submitted that all the claims are in allowable form and the issuance of a Notice of Allowance is respectfully requested.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone given below.

No fees are believed necessary for the timely filing of this paper.

Respectfully submitted,

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Date: February 14, 2009

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